IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

SUMMONS FOR JUDGMENT NO.102 OF 2004
IN
SUMMARY SUIT NO.2632 OF 2000

Niketa N. Negandhi ....Plaintiff

V/s.

M/s.Harayana Steel Corpn. & Ors. ....Defendants

Ms.Nita Solanki i/b Kiran Jain & Co. for the Plaintiff.

None for the Defendants.

CORAM : S.J. VAZIFDAR, J.
DATED : 19TH JANUARY, 2005.

P.C. :

1. The suit is filed on the basis of two bills of exchange both dated 16th June, 1997 in the sum of Rs.25,000/- and Rs.75,000/- respectively. Defendant Nos.1/2 are the drawers. Defendant Nos.3 and 4 are the husband and wife. The plaint originally stated that Defendant No.3 was the acceptor.

2. In the affidavit in reply to the previous Summons for Judgment, Defendant No.3 contended that her husband Defendant No.4 was the proprietor of the

said firm. The Plaintiff therefore by an amendment added Defendant No.4 as party to the suit. The decree has been sought against all the Defendants. The present Summons for Judgment has been taken out only against Defendant Nos.3 and 4.

3. The cheques issued towards the repayment of the dues have been dishonoured. There is no reply to the Plaintiff’s advocate notices of demand.

4. No affidavit in reply has been filed by any of the Defendants. There is no defence to the suit.

5. The Plaintiff has filed the compilation of the original documents. The same is taken on record and marked Exhibit "A" collectively.

6. In the circumstances, the Summons for Judgment is made absolute with costs as against Defendant Nos.3 and 4. However, the interest after the date of the suit shall be at the rate of 12% p.a.

. Refund as per rules.

. For the purpose of refund of the court fees, parties including the Prothonotary and Senior Master are requested to act on an ordinary copy of this order

duly authenticated by the Associate/Court Stenographer of this Court.